

**City of Taylorsville
Planning Commission Meeting Minutes
May 14, 2024
Pre-meeting – 6:00 p.m. – Regular Session – 6:30 p.m.
2600 West Taylorsville Blvd – Council Chambers**

Attendance-

Planning Commission

Cindy Wilkey – Chair
Don Russell – Vice Chair
Marc McElreath
Lynette Wendel
Gordon Willardson
David Wright
David Young (Alternate)

Community Development Staff

Jim Spung – Senior Planner
Terryne Bergeson – Planner I
Jamie Brooks – City Recorder

Excused: Commissioner Don Quigley

Others Present: Ernest Burgess, Sita Jasper, Todd Jasper, Whitney Jasper, and Janet Stewart.

BRIEFING SESSION – 6:00 P.M.

The briefing session began at 6:03 p.m. when a quorum was present. Planner Terryne Bergeson provided an overview of agenda items No. 3 and No. 4.

Regarding Agenda Item No. 3, she reminded the Commissioners that they had heard this item previously (on March 12, 2024) and had approved the following motion with a vote of 5-2: *“I move that we approve File #1SI24-SI-RA=000420-2024 request for a reasonable accommodation to allow the limit of the paved area in the front yard, excluding the driveway providing access to the garage, be increased from 20% to 54.1% for the property located at 4729 South Turnberry Cove in Taylorsville, Utah, subject to the findings and conditions in the staff report.”*

However, upon receiving the approval letter, the applicants realized that the submitted and approved site plan had not been adjusted to show the correct curb cut; therefore, a wider drive approach was not included in the request. The applicants had now submitted a new application for a reasonable accommodation request, which would be presented in the regular meeting. They were requesting an exception to the standard driveway width to allow the existing, wider drive approach to remain.

Ms. Bergeson explained that she had mentioned to the applicants, who had not been present at the March 12, 2024 meeting, that commissioners had several questions that evening which had gone unanswered. Therefore, the applicants were present that

evening to address any concerns. Because there had been a question regarding the vehicles that most often transported the applicants' daughter (and accessed the subject driveway), they had provided a photo of the paratransit vans used by Utah Transit Authority and the photo had been added to the staff report as Exhibit G. The vehicles were 8' wide, 22' long with a wheelbase of 13'.

Commissioners Wright and McElreath asked clarifying questions.

Commissioner Wendel pointed out that she had not been in attendance during the March meeting, and she wished to confirm that it was only the entrance to the driveway that was now being addressed—not the driveway itself. Ms. Bergeson stated that was correct.

Chair Wilkey asked if any water/drainage issues were anticipated. Ms. Bergeson responded that the city engineer had no concerns in that regard.

Regarding Agenda Item No. 4, it was a simple subdivision amendment. The applicant, Janet Stewart, lived at 4736 S Simper Lane. The rear yard of her property was adjacent to the rear yard of a flag lot parcel at 3447 W 4700 S, owned by Christine Kinder. Over the years Christine Kinder had allowed Janet Stewart to use a portion of her rear yard for gardening. Recently Ms. Kinder offered to sell her that portion. The applicant would like to consolidate the land with her lot, and the boundary change required approval of a subdivision plat amendment. She briefly reviewed the facts as outlined in the staff report.

The briefing session adjourned at 6:19 p.m.

GENERAL MEETING – 6:30 P.M.

Chair Wilkey opened the public meeting at 6:30 p.m. and read the welcome statement. Because Commissioner Quigley was excused, Commissioner Young would be voting that evening.

CONSENT AGENDA

2. There were no minutes to approve

REASONABLE ACCOMMODATION

3. Consideration of a Reasonable Accommodation Request to Increase Maximum Residential Driveway Width for the Property Located at 4729 S Turnberry Cove. Applicant: Todd Jasper Address: 4729 S. Turnberry Cove (2S24 / Terryne Bergeson - Planner I)

 Ms. Bergeson explained that Brad Reynolds Construction had built a home for Todd and Rosita Jasper at 4729 S Turnberry Cove. During regular onsite inspections, city inspectors noticed deviations from the original approved site plan relating to the width of

the drive approach and the amount of poured concrete at the property. The Jaspers submitted a reasonable accommodation application requesting that the Planning Commission allow an exception to certain city standards that would accommodate the special needs of their daughter. The applicants were instructed to submit documents to support the request, which included a site plan and a written explanation. The documents were included in a staff report and presentation reviewed by the Planning Commission on March 12, 2024.

This type of application did not have any requirements for public noticing or a public hearing.

As stated in the summary, the Planning Commission approved the previous request relating to increased paved area (File# 1SI24-000419-2024). However, the request did not include an exception to driveway width. The applicants had expressed that a wider drive approach had been installed to accommodate the transport van for their daughter. The request was submitted with an explanation (Ex F) as well as a new, dimensioned site plan that illustrated the existing distance from end to end of the approach, measured in a straight-line was 38.1 feet wide (Ex H). An onsite measurement was taken, and the curve width of the approach (at the street, flare to flare) was 40.5. The width exceeded the maximum established in [Section 13.21.030\(A\)](#): *“Driveways shall be provided for all residential building lots. The drive approach for the driveway shall be a minimum width of twelve feet (12') and shall not exceed the maximum width of thirty-five feet (35')...”* Taylorsville Land Development Code designated the Planning Commission as the decision-making authority for reasonable accommodation requests.

See staff report for further details regarding the analysis. Approval of the request would not impact the number of dwelling units and had no impact on the low-density residential designation. The current General Plan identified the need for housing that met the needs “for residents of all income levels, age groups, and abilities” in Goal 7.3.

Findings

1. Brad Reynolds Construction is building a home for the Jasper family at 4729 S Turnberry Cove in Taylorsville, Utah.
2. The subject property is zoned R-1-8.
3. The property is designated as low-density residential in the Taylorsville General Plan.
4. The Planning Commission approved a request to increase the paved area of the front yard at the subject property on March 12, 2024 (File #1SI24 – SI-RA-000420-2024).
5. Todd Jasper has submitted a reasonable accommodation application and supporting documents to request an increase to drive approach width from 30 feet to 38.1 feet.
6. Reasonable accommodation is defined in the Taylorsville LDC as a change in a rule, policy, practice, or service necessary to afford a person equal opportunity to use and enjoy a dwelling.

7. 13.03.030(A)(3)(c)(5) designates the Planning Commission as the Land Use Authority to review and make decisions related to reasonable accommodations.

Staff recommended that the Planning Commission review the staff report and supporting documents to determine if the request should be granted.

Chair Wilkey invited the applicant to address the Planning Commission.

Todd Jasper explained that his daughter used UTA to get to and from school. He explained that it was best for the bus to be able to load and unload her in the driveway itself to avoid vehicles parked on the streets, snow in the winter, trash cans on garbage pick-up day, etc. It also meant his daughter was exposed to the elements for less time when loading and unloading her took place during inclement weather. Mr. Jasper explained that he and the builder were initially unaware of the width restriction, which was how they ended up in this situation.

Commissioner Russell asked how long he had lived in the house. He explained that they hadn't yet closed on the home.

MOTION: Commissioner McElreath moved to approve File #2SI24 – SI RA-000420-2024 request for a reasonable accommodation to allow the maximum drive approach width to be increased to 40 feet for the property at 4729 South Turnberry Cove in Taylorsville, Utah based on the findings in the staff report. The motion was seconded by Commissioner Willardson.

Commissioner Wendel:	ABSTAIN
Chair Wilkey:	AYE
Commissioner Wright:	AYE
Commissioner Russell:	AYE
Commissioner Willardson:	AYE
Commissioner McElreath:	AYE
Commissioner Young:	AYE

Motion passes 6-0

SUBDIVISION

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| 4. Public Hearing and Consideration of a Subdivision Amendment to Lot 1 of the Harman Estates Subdivision located at 4736 South Simper Lane in Taylorsville, Utah (1S24 / Terryne Bergeson – Planner I) |
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 Ms. Bergeson explained that the applicant, Janet Stewart, lived at 4736 S Simper Lane. The rear yard of her property was adjacent to the rear yard of a flag lot parcel at 3447 W 4700 S, owned by Christine Kinder. Over the years Christine Kinder had allowed Janet Stewart to use a portion of her rear yard for gardening. The applicant

171 stated that recently Christine Kinder offered to sell her that portion. The applicant would
172 like to consolidate the land with her lot. The boundary change required approval of a
173 subdivision plat amendment.

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175 Commissioner Wright asked if there was an agreement in place between the neighbors.
176 Ms. Bergeson believed there was.

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178 Chair Wilkey invited applicant Janet Stewart to address the Planning Commission. She
179 explained that she had a very good relationship with her neighbor, and that they had a
180 signed agreement in place.

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182 **MOTION: Commissioner Wendel moved to approve File #1S24 – SUB-000418-2024,**
183 **a Subdivision Amendment to Lot 1 of the Harman Estates subdivision**
184 **located at 4736 South Simper Lane in Taylorsville, Utah based on the**
185 **findings and subject to the conditions as outlined in the staff report. The**
186 **motion was seconded by Willardson.**

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188 **Commissioner Willardson: AYE**
189 **Commissioner Russell: AYE**
190 **Commissioner McElreath: AYE**
191 **Commissioner Wright: AYE**
192 **Commissioner Wilkey: AYE**
193 **Commissioner Wendel: AYE**
194 **Commissioner Young: AYE**

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196 **Motion passes 7-0**

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198 **OTHER MATTERS**

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211 | 5. Planning Commission Review and Discussion of the Taylorsville Land Development Code Update (Jim Spung, AICP / Senior Planner) |
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200  Mr. Spung explained that Mark McGrath would be in attendance at the next meeting
201 to review the land use chapter of the General Plan. The Land Development Code would
202 then be revisited in June. Also in June would be a text amendment that was being drafted
203 in response to recent legislation related to home-based micro-schools.

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205 He mentioned that the American Planning Association's (APA) fall conference would be
206 held in Provo on October 9-11. The Commissioners would be receiving invitations at
207 some point in the future. Some in-house training would also be presented some time
208 before then.

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210 **CITY COUNCIL MEETING DISCUSSION**
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Commissioner Wendel had attended the May 1, 2024 City Council meeting and explained to the other commissioners that Chief Cottam had presented a quarterly report regarding crime statistics in Taylorsville.

1. There was also a report from Animal Services and among other things, it was shared that Taylorsville had an agreement involving the pickup and relocation of urban wildlife such as raccoons.

The City Council had accepted the tentative budget for FY2024-2025.

Commissioner Quigley was to attend the City Council meeting scheduled for May 15.

ADJOURNMENT:

MOTION: Commissioner Wendel moved to adjourn, the motion was seconded by Commissioner Wright and passed unanimously.

The meeting adjourned at 6:57 p.m.

Jamie Brooks, City Recorder